

# AGENDA



## Recommendation for Council Action (Purchasing)

<b>Austin City Council</b>	<b>Item ID:</b>	24771	<b>Agenda Number</b>	
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<b>Meeting Date:</b>	June 6, 2013
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<b>Department:</b>	Purchasing
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### Subject

Authorize award and execution of a 24-month requirements service contract with SIEMENS INDUSTRY, INC., for wooden utility pole inspection services for Austin Energy in an estimated amount not to exceed \$517,440, with three 12-month extension options in an estimated amount not to exceed \$258,720 per extension option, for a total estimated contract amount not to exceed \$1,293,600.

### Amount and Source of Funding

Funding in the amount for \$64,680 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy. Funding for the remaining 21 months of the original contract period and extension options is contingent upon available funding in future budgets.

### Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

<b>Purchasing Language:</b>	Lowest bid received.
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<b>Prior Council Action:</b>	
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<b>For More Information:</b>	Gabriel Guerrero, Buyer II, 512-322-6060
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<b>Boards and Commission Action:</b>	To be reviewed by the Electric Utility Commission on May 20, 2013.
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<b>MBE / WBE:</b>	This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
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<b>Related Items:</b>	
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### Additional Backup Information

The work provided through this contract will provide Austin Energy (AE) with a continuous maintenance program for extending the average service life of wooden utility poles in the AE service area. The contract includes inspection, preservative treatment, and identification of the condition of distribution poles currently in service. At a minimum, all poles will be visually inspected; poles 8 to 10 years old will be visually inspected and treated; and poles 11 years and older (and not rejected) will be visually inspected, fully excavated, inspected and treated in place. Poles that have deteriorated beyond acceptable standards due to internal and/or external decay or infestation will be replaced by AE personnel.

This pole maintenance contract will save money by reducing unnecessary replacements and adding additional years of durable service life to utility poles. Another major benefit of this contract is increased public safety and the safety of AE personnel responsible for climbing poles to make repairs.

Work will be scheduled by AE personnel on a circuit-by-circuit basis. All treatment materials are non-carcinogenic and include appropriate Environmental Protection Agency (EPA) registered labels stipulating use, handling procedures, emergency procedures, warnings, and disposal methods.

MBE/WBE Solicited: 4/3

MBE/WBE Bid: 0/0

**BID TABULATION**  
**IFB No. GAL0043**  
**Wood Pole Inspection Services**  
**(10 Line Items)**

<u><b>VENDOR</b></u>	<u><b>Total Annual Amount</b></u>
<b>Siemens Industry, Inc.</b> <b>Grand Prairie, TX</b>	<b>\$258,720</b>
Quality Pole Inspection & Maintenance Inc. Edna, TX	\$488,723
Texas Utility Engineering, Inc. San Antonio, TX	\$635,232

A complete bid tabulation is on file in the Purchasing Office and is on the City of Austin, FASD Purchasing Office web site.

**PRICE ANALYSIS**

- a. Adequate competition.
- b. Seventy-seven notices were sent, including four MBEs and three WBEs. Three bids were received, with no response from the MBE/WBEs.
- c. The pricing offered represents a 0% increase to the last contract awarded in February 2010.

**APPROVAL JUSTIFICATION**

- a. Lowest bid received. Siemens Industry is not the current provider of these services.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

# A G E N D A



## Recommendation for Council Action

Austin City Council	<b>Item ID</b>	24307	<b>Agenda Number</b>	
<b>Meeting Date:</b>	5/23/2013		<b>Department:</b>	Austin Energy
Subject				
Approve an ordinance amending City Code Chapter 15-9 regarding utility service, billing and adjustments, and administrative reviews and hearings.				
Amount and Source of Funding				
Fiscal Note				
There is no unanticipated financial impact. A fiscal note is not required.				
<b>Purchasing Language:</b>				
<b>Prior Council Action:</b>				
<b>For More Information:</b>	Jawana Gutierrez, Vice-President, Customer Care, 322-6956.			
<b>Boards and Commission Action:</b>	To be reviewed by the Electric Utility Commission on May 20, 2013.			
<b>MBE / WBE:</b>				
<b>Related Items:</b>				

### Additional Backup Information

The proposed amendments to the Utility Service Regulations set forth in City Code Chapter 15-9 clarify language and revise the administrative review and hearing processes.

The proposed amendment to Section 15-9-37 updates terminology to better clarify customer responsibilities regarding equipment.

The proposed amendment to Section 15-9-135 removes the word “Residential” when referring to Multi-family to coincide with customer classes as stated in the water service rate.

The proposed amendment to Section 15-9-140 eliminates references to the narrow scope of incidences qualifying for billing adjustments and clarifies language regarding the billing adjustment process.

The proposed amendment to City Code Chapter 15-9, Article 12 repeals this Article regarding utility administrative reviews and hearings and replaces it with a new Article that updates business processes of the utility departments. Significant changes to the new Article are the inclusion that water conservation and sewage disputes will be handled in

accordance with their respective City Code sections and ability for customers to dispute utility diversion charges through the administrative hearing process when the offense is not pursued through criminal charges.

draft



1           ~~(3) an erroneous meter reading or the reading of a meter other than that~~  
 2           ~~through which the customer actually received service; or~~

3           ~~(4) the failure of the City to include the utility service in the customer's~~  
 4           ~~account.]~~

5           (B) No billing adjustment shall be made, and no backbill or refund shall be  
 6           issued, with respect to utility service provided:

7           (1) more than four years before the date the error or inaccuracy is  
 8           discovered if the error or inaccuracy caused the customer to be  
 9           overbilled;

10          (2) more than twelve months before the date the error or inaccuracy is  
 11          discovered if the error or inaccuracy caused the customer to be  
 12          underbilled, or, in the case of a [~~residential~~] customer billed at a  
 13          residential rate, more than six months before the date the error or  
 14          inaccuracy is discovered, unless the billing adjustment is for taxes;

15          (3) to any customer other the customer currently receiving service at the  
 16          service address to which the adjustment pertains; or

17          (4) under an account that has become an inactive account and for which a  
 18          final bill was issued more than 90 days before the error or inaccuracy  
 19          was discovered.

20          **PART 4.** City Code Chapter 15-9, Article 12 (*Administrative Review and Hearing*) is  
 21          repealed and replaced to read:

22          **ARTICLE 12. ADMINISTRATIVE REVIEW AND HEARING.**

23          **§ 15-9-191 ADMINISTRATIVE REVIEW.**

24          (A) Except as provided in Subsections (B), (C), and (D), before requesting an  
 25          administrative hearing, a person who disputes an action, policy, decision, or  
 26          invoice relating to utility service must contact the director of the utility  
 27          providing the service no later than the 90th day after the date of the notice of  
 28          violation or the date the customer knew or should have known about the  
 29          subject of the dispute.

30          (B) Before requesting an administrative hearing, a customer who disputes an  
 31          action, policy, decision, or application related to the drainage fee or the  
 32          transportation user fee shall request an administrative review from the  
 33          director of the Watershed Protection Department or the Public Works  
 34          Department, respectively. These administrative reviews are authorized by

1 Chapters 14-10 (*Transportation User Fee*) and 15-2 (*Drainage Utility*) of the  
 2 Code. If requested by a customer, the department director shall provide a  
 3 customer with a copy of the department's Appeals Rules and Procedures.

- 4 (C) A customer who disputes an action, policy, or decision by a utility related to  
 5 compliance with Title 25 (*Land Development Code*) or Title 30  
 6 (*Austin/Travis County Subdivision Regulations*) of the Code shall follow the  
 7 procedures prescribed in the applicable title.
- 8 (D) A customer who disputes an action, policy, or decision related to compliance  
 9 with Chapter 6-4 (*Water Conservation*) of the Code shall follow the  
 10 procedures prescribed in Article 3 of that chapter. A customer who disputes  
 11 an action, policy, or decision related to compliance with Chapter 15-5 (*On-  
 12 Site Sewage Facilities*) of the Code shall follow the procedures prescribed in  
 13 that chapter. A customer who disputes an action, policy, or decision related  
 14 to compliance with Chapter 15-11 (*Private Lateral Sewer Lines*) of the Code  
 15 shall follow the procedures prescribed in that chapter.
- 16 (E) The director of a utility shall attempt to resolve the customer's dispute. If the  
 17 director of a utility cannot resolve the dispute through an administrative  
 18 review, the director shall:
- 19 (1) communicate the administrative review decision to the customer  
 20 including the reason for the dispute and if applicable, the disputed  
 21 amount; and
  - 22 (2) if applicable, inform the customer that the customer has a right to  
 23 request an administrative hearing and provide the customer  
 24 instructions how to request an administrative hearing.
- 25 (F) If a customer is informed of his right to a hearing, the customer must request  
 26 that hearing not later than 30 days after the date of the notice.

27 **§ 15-9-192 RESTRICTION ON ADMINISTRATIVE HEARING.**

28 A customer may not request an administrative hearing if:

- 29 (1) the utility did not conduct an administrative review;
- 30 (2) the customer did not timely request an administrative hearing;
- 31 (3) criminal charges are pursued for the occurrence of utility service  
 32 diversion, unlawful use of service, damage to City utility equipment,  
 33 unauthorized sale of utility service or other violation of law; or

- 1 (4) the customer is disputing:
- 2 (a) the terms or denial of a deferred payment agreement;
- 3 (b) the customer's financial inability to pay for utility services
- 4 provided by the City;
- 5 (c) the rate schedule;
- 6 (d) unexplained high utility consumption if a meter has been tested
- 7 and is determined to be accurate or under-registering in
- 8 accordance with the American Water Works Association
- 9 standards or the American National Standard Institute standard;
- 10 (e) denial or discontinuance of utility service based on a danger to
- 11 public health or safety;
- 12 (f) a matter subject to a court decision;
- 13 (g) the application or amount of a credit security deposit; or
- 14 (h) a decision by the City regarding a claim for property damage or
- 15 personal injury.

16  
17 **§ 15-9-193 ADMINISTRATIVE HEARING.**

- 18 (A) Except as provided in Section 15-2-14 (*Adjustments*), a hearing under this
- 19 article shall be held by a hearings officer appointed by the city manager. A
- 20 hearings officer may not be an employee of a utility.
- 21 (B) A customer who disagrees with an administrative review decision by the
- 22 director of a utility may request an administrative hearing. The customer
- 23 shall request the administrative hearing in writing no later than the 30th day
- 24 after the director of a utility informed the customer of the right to request a
- 25 hearing in accordance with Subsection (E) of Section 15-9-191
- 26 (*Administrative Review*). The customer requesting the hearing shall have the
- 27 burden of proof to prove the City's position is in error.
- 28 (C) Not later than the third day before the date of an administrative hearing, the
- 29 director of a utility shall provide the customer with notice of the time, date,
- 30 and location of the hearing either in person, by telephone, by confirmed
- 31 facsimile transmission, by electronic mail, or by mail to the customer's last
- 32 known address.

- 1 (D) Except as provided in Subsection (E), if the customer fails to appear at an  
2 administrative hearing, the hearings officer may enter a default decision  
3 against the customer.
- 4 (E) The City and the customer may agree to waive appearance at an  
5 administrative hearing and submit the dispute to the hearings officer in  
6 writing.
- 7 (F) The customer may appear in person and may be represented by counsel. If a  
8 customer is represented by counsel, the customer must notify the City at  
9 least two business days before the hearing. If the City does not receive  
10 notice under this subsection, the City may reschedule the administrative  
11 hearing.
- 12 (G) The customer may make one request to reschedule an administrative hearing  
13 for a period not to exceed 30 days from the date of the original hearing  
14 before the City reinstates utility service termination procedures. The City  
15 may agree to the date and time of a hearing rescheduled under this  
16 subsection to a date later than 30 days after the date of the original hearing.  
17 If a customer makes a second request to reschedule an administrative  
18 hearing, the City may terminate the customer's utility service.
- 19 (H) If the City does not agree to a customer's second or later request to  
20 reschedule, the City shall not reschedule the administrative hearing and the  
21 hearings officer shall issue a decision on the merits.
- 22 (I) The hearings officer may deliver an oral decision at the close of a hearing  
23 and shall deliver a written decision not later than:
- 24 (1) the 10th day after the close of the hearing; or
- 25 (2) if the hearings officer requests additional information from the parties,  
26 a date agreed to by the parties.

27 **§ 15-9-194 RESULTS OF HEARINGS.**

- 28 (A) If a hearings officer rules against a customer, the hearings officer's decision  
29 shall include:
- 30 (1) the actions to be taken by the customer to continue utility service; and
- 31 (2) a deadline for performance by the customer that is consistent with the  
32 deferred payment agreement policies of the utility and the  
33 requirements of this chapter.

- 1 (B) If a hearings officer rules completely or partly in favor of a customer, the  
2 hearings officer's decision shall include:
- 3 (1) the actions to be taken by the City and the customer to continue or  
4 reconnect utility service; and
- 5 (2) deadlines for performance by the City and the customer that are  
6 consistent with the deferred payment agreement policies of the utility  
7 and the requirements of this chapter.
- 8 (C) A hearings officer shall not base the officer's decision on a judicial decision  
9 from a case to which the City was not a party.

10 **§ 15-9-195 CONTINUITY OF SERVICE DURING APPEAL.**

- 11 (A) Before a hearing under this article, the City shall continue to provide a  
12 customer with utility service, unless:
- 13 (1) the service was disconnected before the customer requested a hearing;  
14 (2) the customer fails to pay an invoice for utility services provided after  
15 a hearing was requested;  
16 (3) the customer's service is transferred; or  
17 (4) termination is required to protect public health and safety.
- 18 (B) If a customer's utility service is disconnected before the customer requested  
19 a hearing, the City shall reconnect utility service after the customer pays all  
20 amounts owed for utility service less the amount disputed in the requested  
21 hearing.
- 22 (C) The City shall not continue or reconnect utility service if the connection:  
23 (1) allows utility service diversion;  
24 (2) creates a dangerous condition;  
25 (3) allows an unlawful use of service;  
26 (4) allows unauthorized remetering, sub-metering, or resale of utility  
27 service; or  
28 (5) violates Title 25 (*Land Development*) of the Code or a City ordinance  
29 relating to the utility service.

1 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2013.

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3 **PASSED AND APPROVED**

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\_\_\_\_\_, 2013

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Lee Leffingwell  
Mayor

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11

12 **APPROVED:** \_\_\_\_\_

12 **ATTEST:** \_\_\_\_\_

13

Karen M. Kennard  
City Attorney

Jannette S. Goodall  
City Clerk

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Draft

# AGENDA



## Recommendation for Council Action (Purchasing)

Austin City Council

Item ID:

24773

Agenda Number

Meeting Date:

June 6, 2013

Department:

Purchasing

### Subject

Authorize award and execution of a contract with CHAMBERLIN ROOFING & WATERPROOFING LLC. for wet glazing and resealing of all exterior windows, trim and granite panels at Town Lake Center, in an amount not to exceed \$174,893.

### Amount and Source of Funding

Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

### Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

**Purchasing Language:**

Lowest bid received.

**Prior Council Action:**

**For More Information:**

Annie Atwood, Buyer I, 512-322-6472

**Boards and Commission Action:**

May 20, 2013 - To be reviewed by the Electric Utility Commission.

**MBE / WBE:**

This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**Related Items:**

### Additional Backup Information

This service contract will provide Austin Energy with the purchase of labor and materials to wet glaze (seal) all exterior windows, trim, and granite panels on the entire exterior of the five-story Town Lake Center building to prevent water infiltration which could damage interior walls, ceilings, carpet and other furnishings. In addition, sealing the exterior will also prevent air infiltration and therefore, increase the energy efficiency of the building. The re-sealing of the building began in 2012 when the roof was replaced. This is the final step in the plan to protect the building from expensive water damage.

MBE/WBE solicited: 11/4

MBE/WBE bid: 0/0

**BID TABULATION****IFB No. APC0005****Wet Glazing Exterior Windows at Town Lake Center  
(4 – Line Items)**

<b><u>Vendor</u></b>	<b><u>Total Bid</u></b>
<b>Chamberlin Roofing &amp; Waterproofing LLC. Austin, TX</b>	<b>\$174,892.71</b>
Taylor Waterproofing Plus, Inc. Austin, TX	\$193,846.00

A complete bid tabulation is on file in the Purchasing Office and is on the City of Austin, FASD Purchasing Office web site.

**PRICE ANALYSIS**

- a. Adequate competition.
- b. Eighty two notices were sent including eleven MBEs and four WBEs. Two bids were received with no response from the MBE/WBEs.
- c. This is the first purchase of its type; therefore, there is no pricing history available.

**APPROVAL JUSTIFICATION**

- a. Lowest bid received.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

# A G E N D A



## Recommendation for Council Action (CMD)

Austin City Council

Item ID:

24293

Agenda Number

Meeting Date:

May 23, 2013

Department:

Contract Management

### Subject

Authorize use of the Design-Build method for design and construction services, in accordance with Government Code Chapter 2267 Subchapter G, for the development of an office building and parking structure for Austin Energy.

### Amount and Source of Funding

██████████

### Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

**Purchasing Language:**

██████████

**Prior Council Action:**

██████████

**For More Information:**

Vincent LeMond, 974-5632; Sandra Strauss-Jones, 322-6146; Kalpana Sutaria, 974-7225; Felecia Shaw, 974-6017.

**Boards and Commission Action:**

To be reviewed by the Electric Utility Commission on May 20, 2013.

**MBE / WBE:**

██████████

**Related Items:**

### Additional Backup Information

Austin Energy owns two tracts of undeveloped land located at the southeast quadrant of East Riverside Drive and Grove Boulevard. Austin Energy plans to construct an office building of approximately 120,000 square feet to accommodate up to 480 employees and a parking garage with 300 spaces. The complex will allow for future expansion, if needed. The new building would accomplish goals established in Austin Energy's 2010 Strategic Facilities Master Plan: reduce overcrowding, reduce reliance on leased space, reduce the utility's carbon footprint, improve space conditions, address immediate and future space needs, and provide innovative collaborative means for maximum work flow. The development of Austin Energy's East Riverside Drive site would offer close proximity to the newly completed System Control Center, public transportation and proposed light rail, several major highways, Austin-Bergstrom International Airport, the downtown area, civic amenities, Austin Community College Riverside campus, and the City of Austin East Riverside Corridor Improvements.

Austin Energy currently occupies 71,920 square foot of leased space at 811 Barton Spring Road and that lease expires in September, 2017. The Design-Build method is the most effective delivery method for meeting schedule constraints within the project budget as each phase of design and construction services is carefully negotiated. Design-build is a method of construction procurement under which design and construction services are contracted through one entity, either a joint venture between a design consultant and a constructor or from a single entity with both capabilities.

The project will consist of two continuous phases: design of the facility and building of the facility. The Design-Build contract will be awarded to the proposer providing the best value to the City, as established through a qualifications-based selection process. The City will advertise a Request for Qualifications which will include selection criteria, the design criteria manual, and other required information. A City-staffed evaluation panel will review the submitted proposals and score them in accordance with the evaluation criteria to determine the highest ranked proposer.

As set forth in Subchapter G, Government Code 2267, the City of Austin will select a Design-Build firm who will provide the best value to the City for both design and construction services for the development of a new Austin Energy office building and parking structure.

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**AGENDA**



**Recommendation for Council Action (Purchasing)**

Austin City Council	<b>Item ID:</b>	24780	<b>Agenda Number</b>	
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<b>Meeting Date:</b>	June 6, 2013
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<b>Department:</b>	Purchasing
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Subject

Authorize award and execution of a 12-month requirements service contract with CIRRO ENERGY SERVICES, INC., to provide peak load forecasting in an estimated amount not to exceed \$28,000, with four 12-month extension options in an estimated amount not to exceed \$28,000 per extension option, for an total estimated contract amount not to exceed \$140,000.

Amount and Source of Funding

Funding in the amount of \$21,000 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets.

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

<b>Purchasing Language:</b>	Sole bid received.
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<b>Prior Council Action:</b>	
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<b>For More Information:</b>	Terry Nicholson, Senior Buyer, 512-322-6586
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<b>Boards and Commission Action:</b>	May 20, 2013 - To be reviewed by the Electric Utility Commission on May 21, 2013 and by the Resource Management Commission on May 21, 2013.
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<b>MBE / WBE:</b>	This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
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<b>Related Items:</b>	
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Additional Backup Information

This contract will provide peak load forecasting services to support Austin Energy's demand response programs. The contractor will evaluate statewide weather data and peak load forecasting estimates and provide day-ahead and day-of notifications indicating the time and likelihood of an Electric Reliability Council of Texas (ERCOT) 4CP (Four Coincident Peak) event.

Austin Energy is assessed fees from ERCOT based on the utility's contribution to ERCOT's peak load during the summer months. One of the primary goals of Austin Energy's demand response programs is to reduce load during ERCOT's 4CP periods. Reducing load reduces the pass-through costs to customers. Historically, Austin Energy's

ability to predict 4CPs and reduce demand to avoid pass-through costs has been augmented by load forecasting services provided by a contractor. This contract will provide Austin Energy with day-ahead and day-of notifications indicating predicted ERCOT peak time and load and the probability of a 4CP event. Using this information, Austin Energy's demand response staff decides whether to request customer load reductions. The information will allow utility staff to optimize the ability to reduce load during an event, benefiting customers and the utility.

MBE/WBE solicited: 5/11

MBE/WBE bid: 0/0

**BID TABULATION/MATRIX**

**IFB TVN0085**

**Peak Load Forecasting**

**Vendor**

**Cirro Energy Services, Inc.  
Plano, TX**

**Total Bid**

**\$28,000.00**

**PRICE ANALYSIS**

- a. Sole bid received.
- b. One hundred, twenty seven notices were sent including five MBEs and 11 WBEs. One bid was received with no response from the MBE/WBE's.
- c. The pricing offered represents a 7% decrease from the last contract award made in April of 2012.

**APPROVAL JUSTIFICATION**

- a. Sole bid received. Cirro Energy Services, Inc. is the current provider of these services.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06-06-2013**

**SUBJECT:** Authorize negotiation and execution of an agreement with Seton Healthcare, to provide a performance-based incentive for the generation of solar energy at its facility located at 4900 Mueller Blvd., Austin, Texas 78723, for an estimated \$7,325 per year, for a total amount not to exceed \$73,250 over a 10-year period.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$7,325 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.

**BOARD AND COMMISSION ACTION:** To be reviewed by the the Electric Utility Commission on May 20, 2013 and the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to enter into an agreement with Seton Healthcare, to provide a performance-based incentive (PBI) for an estimated \$7,325 per year, for a total amount not to exceed \$73,250 over the 10-year period for the generation of solar energy at its facility located at 4900 Mueller Blvd., Austin, Texas 78723.

The total installation cost is \$126,471 and the incentive will cover between 55% and 58% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 132 solar modules rated at 280 watts and associated inverters rated at 96.5% efficiency. A total of 29 kW-AC in demand savings is expected.

This energy improvement will save an estimated 49,829 kWh per year—enough to provide electricity to four average Austin homes for a year—and produce an estimated 50 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 769 trees or 38 acres of forest in Austin's parks or the removal of 136,203 vehicle miles or 11 cars from Austin roadways. This project will save 33 tons of Carbon Dioxide (CO<sub>2</sub>); 42 pounds of Sulfur Dioxide (SO<sub>2</sub>); 46 pounds of Nitrogen Oxide (NOX), and 32 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.



## Project Fact Sheet Solar Applications

<b>File Number</b>	PBI092
<b>Customer Name</b>	SETON HEALTHCARE
<b>Facility Address</b>	4900 MUELLER BLVD, 78723
<b>Customer Contact</b>	PETER RIECK
<b>Phone Number</b>	512-324-1493
<b>Estimated Total Incentives</b>	\$7,325 per year for 10 years
<b>Application Received Date</b>	4/9/2013
<b>Number of Modules</b>	280
<b>Wattage per Module (STC)</b>	280
<b>Inverter Efficiency</b>	96.5%
<b>Solar Contractor</b>	NATIVE, INC.
<b>Contractor Contact</b>	CHRIS RENNER
<b>Contractor Phone</b>	512-983-6996
<b>Installation Cost</b>	\$126,471
<b>Estimated kWh Savings</b>	49,829 kWh per year
<b>Estimated kW Demand Savings</b>	29 kW-AC
<b>Estimated Date of Completion</b>	TBD
<b>Site Information/Additional Comments</b>	HOSPITAL FACILITY.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06-06-2013**

**SUBJECT:** Authorize negotiation and execution of an agreement with St. David's Episcopal Church, to provide a performance-based incentive for the generation of solar energy at its facility located at 308 E. 8<sup>th</sup> St., Austin, Texas 78701, for an estimated \$26,969 per year, for a total amount not to exceed \$269,690 over a 10-year period.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$26,969 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013 and the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to enter into an agreement with St. David's Episcopal Church, to provide a performance-based incentive (PBI) for an estimated \$26,969 per year, for a total amount not to exceed \$269,690 over the 10-year period for the generation of solar energy at its facility located at 308 E. 8<sup>th</sup> St., Austin, Texas 78701.

The total installation cost is \$683,928 and the incentive will cover between 38% and 39% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 504 solar modules rated at 295 watts and associated inverters rated at 97.5% efficiency. A total of 114 kW-AC in demand savings is expected.

This energy improvement will save an estimated 183,460 kWh per year—enough to provide electricity to 16 average Austin homes for a year—and produce an estimated 183 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 2,830 trees or 142 acres of forest in Austin's parks or the removal of 247,338 vehicle miles or 21 cars from Austin roadways. This project will save 121 tons of Carbon Dioxide (CO<sub>2</sub>); 153 pounds of Sulfur Dioxide (SO<sub>2</sub>); 169 pounds of Nitrogen Oxide (NO<sub>x</sub>), and 118 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.



## Project Fact Sheet Solar Applications

<b>File Number</b>	PBI093
<b>Customer Name</b>	St. David's Episcopal Church
<b>Facility Address</b>	308 E. 8 <sup>th</sup> St., 78701
<b>Customer Contact</b>	Terry Nathan
<b>Phone Number</b>	512-610-3561
<b>Estimated Total Incentives</b>	\$26,969 per year for 10-years
<b>Application Received Date</b>	3/21/2013
<b>Number of Modules</b>	504
<b>Wattage per Module (STC)</b>	295
<b>Inverter Efficiency</b>	97%
<b>Solar Contractor</b>	MERIDIAN
<b>Contractor Contact</b>	JOE SCHMITZ
<b>Contractor Phone</b>	512-448-0045
<b>Installation Cost</b>	\$683,928
<b>Estimated kWh Savings</b>	183,460 kWh per year
<b>Estimated kW Demand Savings</b>	114 kW-AC
<b>Estimated Date of Completion</b>	TBD
<b>Site Information/Additional Comments</b>	Church facility.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06/06/2013**

**SUBJECT:** Approve issuance of a rebate to Arts Apartments South Austin, LLC, for performing comprehensive energy efficiency upgrades at the Arts Apartments at South Austin located at 400 West St. Elmo Rd., Austin, Texas 78745, in an amount not to exceed \$99,000.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Fred Yebra, P.E. 482-5305.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013 and by the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to issue a rebate to Arts Apartments South Austin, LLC, in an amount not to exceed \$99,000 for performing comprehensive energy efficiency upgrades at the Arts Apartments at South Austin in accordance with the City of Austin's Multi-Family Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved in April 2010 by City Council, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.

Arts Apartments at South Austin is located at 400 West St. Elmo Rd., Austin, Texas 78745. The property is comprised of 3 buildings containing 140 apartment units with 109,983 square feet of conditioned space. The work completed includes duct diagnostics, duct sealing, and air sealing, and the installation of compact fluorescent light bulbs, attic insulation, water heater pipe insulation, and water saving aerators and showerheads. The total cost of this project is \$111,870 and the rebate will cover 88.5% of the cost. The demand (kW) savings associated with this comprehensive energy efficiency project is estimated at 141 kW, at a program cost of \$702 per kW saved. The avoided kilowatt hours (kWh), estimated at 641,000 kWh per year, represents a major benefit to the local environment. This project will prevent the emission of the following air pollutants: 384.9 metric tons of Carbon Dioxide (CO<sub>2</sub>), 0.268 metric tons of Nitrogen Oxides (NO<sub>x</sub>), and 0.243 metric tons of Sulfur Dioxide (SO<sub>2</sub>).

In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 864,185 vehicle miles traveled, the removal of 73.7 cars from our roadways, or the planting of 9,888 trees or 494 acres of forest in Austin's parks.

## RCA PROJECT FACT SHEET

Customer Name: Arts Apartments at South Austin  
*Property Owner: Arts Apartments South Austin, LLC*  
*Property Management Company: The Medve Group, Inc.*

File Number: 00273

Facility Address: 400 West Elm Rd. Austin, TX 78745

Customer Contact: Daniel Medve

Estimated Rebate: Not to exceed \$99,000

Equipment Installed: Duct diagnostic and sealing, air sealing, compact fluorescent light bulbs, attic insulation, domestic water heater pipe insulation and water saving aerators and showerheads.

Demand Savings: 141 kW – estimated

KWh Savings: 641,000 kWh - estimated

Cost per kW: \$ 702

Estimated Project Cost: \$111,870

Estimated Completion Date: No later than three (3) months after LOI

Site Information: Arts Apartments at South Austin, 400 West Elm Rd. Austin, TX 78745.

**Comments:**

Arts Apartments at South Austin is located at 400 West Elm Rd. in Austin, Texas. The property is comprised of three (3) buildings containing 140 apartment units, with 109,983 square feet of living space.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06/06/2013**

**SUBJECT:** Approve issuance of a rebate to Arts Apartments at Turtle Creek, LLC, for performing comprehensive energy efficiency upgrades at the Arts Apartments at the Turtle Creek located at 714 Turtle Creek Blvd., Austin, Texas 78745, in an amount not to exceed \$71,500.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Fred Yebra, P.E. 482-5305.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013 and by the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to issue a rebate to Arts Apartments at Turtle Creek, LLC, in an amount not to exceed \$71,500 for performing comprehensive energy efficiency upgrades at the Arts Apartments at Turtle Creek in accordance with the City of Austin's Multi-Family Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved in April 2010 by City Council, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.

The Arts Apartments at Turtle Creek is located at 714 Turtle Creek Blvd., Austin, Texas 78745. The property is comprised of six buildings containing 95 apartment units with 75,410 square feet of conditioned space. The work completed includes duct diagnostics and sealing, air sealing, and the installation of compact fluorescent light bulbs, attic insulation, water heater pipe insulation, water saving aerators and showerheads, and programmable thermostats. The total cost of this project is \$80,723 and the rebate will cover 88.6% of the cost. The demand (kW) savings associated with this comprehensive energy efficiency project is estimated at 85 kW, at a program cost of \$841 per kW saved. The avoided kilowatt hours (kWh), estimated at 474,000 kWh per year, represents a major benefit to the local environment. This project will prevent the emission of the following air pollutants: 284.6 metric tons of Carbon Dioxide (CO<sub>2</sub>), 0.198 metric tons of Nitrogen Oxides (NO<sub>x</sub>), and 0.179 metric tons of Sulfur Dioxide (SO<sub>2</sub>).

In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 639,039 vehicle miles traveled, the removal of 54.5 cars from our roadways, or the planting of 7,312 trees or 366 acres of forest in Austin's parks.

## RCA PROJECT FACT SHEET

Customer Name: Arts Apartments at Turtle Creek  
*Property Owner: Arts Apartments at Turtle Creek, LLC*  
*Property Management Company: The Medve Group, Inc.*

Facility Address: 714 Turtle Creek Blvd. Austin, TX 78745

Customer Contact: Daniel Medve

Estimated Rebate: Not to exceed \$71,500

Equipment Installed: Duct diagnostic and sealing, air sealing, compact fluorescent light bulbs, attic insulation, domestic water heater pipe insulation and water saving aerators and showerheads, install programmable thermostats.

Demand Savings: 85 kW – estimated

KWh Savings: 474,000 kWh - estimated

Cost per kW: \$841

Estimated Project Cost: \$80,723

Estimated Completion Date: No later than three months after LOI

Site Information: Arts Apartments at Turtle Creek, 714 Turtle Creek Blvd. Austin, TX 78745.

Comments:  
Arts Apartments at Turtle Creek is located at 714 Turtle Creek Blvd. in Austin, Texas. The property is comprised of six buildings containing 95 apartment units, with 75,410 square feet of living space.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06/06/2013**

**SUBJECT:** Approve issuance of a rebate to H&H Texas Partners, LTD, for performing comprehensive energy efficiency upgrades at the Timbercreek Apartments located at 614 South 1<sup>st</sup> St., Austin, Texas 78704, in an amount not to exceed \$132,000.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Fred Yebra, P.E. 482-5305.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013 and by the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to issue a rebate to H&H Texas Partners, LTD, in an amount not to exceed \$132,000 for performing comprehensive energy efficiency upgrades at the Timbercreek Apartments in accordance with the City of Austin's Multi-Family Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved in April 2010 by City Council, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.

The Timbercreek Apartments are located at 614 South 1<sup>st</sup> St., Austin, Texas 78704. The property is comprised of 10 buildings containing 198 apartment units with 150,236 square feet of conditioned space. The work completed includes duct diagnostics, duct sealing, and air sealing, and the installation of compact fluorescent light bulbs, water heater pipe insulation, and water saving aerators and showerheads. The total cost of this project is \$147,840 and the rebate will cover 89% of the cost. The demand (kW) savings associated with this comprehensive energy efficiency project is estimated at 181.1 kW, at a program cost of \$702 per kW saved. The avoided kilowatt hours (kWh), estimated at 787,600 kWh per year, represents a major benefit to the local environment. This project will prevent the emission of the following air pollutants: 472 metric tons of Carbon Dioxide (CO<sub>2</sub>), 0.330 metric tons of Nitrogen Oxides (NO<sub>x</sub>), and 0.298 metric tons of Sulfur Dioxide (SO<sub>2</sub>).

In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 1,061,829 vehicle miles traveled, the removal of 90.6 cars from our roadways, or the planting of 12,150 trees or 607 acres of forest in Austin's parks.

## RCA PROJECT FACT SHEET

Customer Name: Timbercreek Apartments  
*Property Owner: H & H Texas Partners, LTD*  
*Property Management Company: Roscoe Properties.*

File Number: 00970

Facility Address: 614 South 1<sup>st</sup> St. Austin, TX 78704

Customer Contact: Kelly Klaker

Estimated Rebate: Not to exceed \$132,000

Equipment Installed: Duct diagnostic and sealing, air sealing, compact fluorescent light bulbs, water heater pipe insulation and water saving aerators and showerheads.

Demand Savings: 188.1 kW – estimated

KWh Savings: 787,600 kWh - estimated

Cost per kW: \$702

Estimated Project Cost: \$147,840

Estimated Completion Date: No later than three months after LOI

Site Information: Timbercreek Apartments, 614 South 1<sup>st</sup> St. Austin, TX 78704.

Comments:  
Timbercreek Apartments is located at 614 South 1<sup>st</sup> St. in Austin, Texas. The property is comprised of 10 buildings containing 198 apartment units, with 150,236 square feet of living space.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06/06/2013**

**SUBJECT:** Approve issuance of a rebate to Capri Capital for performing duct diagnostics and improvements at the Stonegate Apartments located at 10505 South IH-35, Austin, Texas 78747, in an amount not to exceed \$146,974.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**FOR MORE INFORMATION CONTACT:** Jeff Vice 322-6087, Debbie Kimberly 322-6327, Fred Yebra, P.E. 482-5305.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013 and by the Resource Management Commission on May 21, 2013.

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Austin Energy requests authorization to issue a rebate to Capri Capital in an amount not to exceed \$146,974 for performing duct diagnostics and improvements at the Stonegate Apartments in accordance with the City of Austin's Multi-Family Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved in April 2010 by City Council, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.

The Stonegate Apartments are located at 10505 South IH-35, in Austin, Texas 78747. The property comprises 24 buildings containing 452 apartment units, with 414,030 square feet of conditioned space. The total cost of this project is \$163,304 and the rebate will cover 90% of the cost. The demand (kW) savings associated with this energy efficiency duct sealing project is estimated at 205 kW, at a program cost of \$716 per kW saved. The avoided kilowatt hours (kWh), estimated at 307,845 kWh per year, represents a major benefit to the local environment. This project will prevent the production of the following air pollutants from being emitted: 184.9 metric tons of Carbon Dioxide (CO<sub>2</sub>), 0.129 metric tons of Nitrogen Oxides (NO<sub>x</sub>), and 0.117 metric tons of Sulfur Dioxide (SO<sub>2</sub>).

In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 415,031 vehicle miles traveled, the removal of 35.4 cars from our roadways, the planting of 4,749 trees or 237 acres of forest in Austin's parks.

## RCA PROJECT FACT SHEET

Customer Name: Stonegate Apartments  
*Property Owner: Capri Capital*  
*Property Management Company: Village Green*

File Number: 1240

Facility Address: 10505 South IH-35, Austin, TX 78747

# of Dwelling Units: 452

Customer Contact: Kyle Talmage

Estimated Rebate: Not to exceed \$146,974

Rebate Offering: Duct Diagnostic & Improvement Program – Uncased  
 Fancoils & Upflows

Demand Savings: 205 kW – estimated

KWh Savings: 307,845 kWh - estimated

Cost per kW: \$716

Project Cost: \$163,304

- *The rebate amount for this energy efficiency improvement is 90% of the total cost of the project.*
- *This energy efficiency improvement qualifies at rebate levels of \$.25 / 8254 square feet of conditioned space and \$.35 / 414,030 square feet of conditioned space.*
- *The average rebate per apartment unit is \$325.*
- *This project passes cost benefit analysis.*
- *In addition to kW savings, this efficiency measure improves both comfort and indoor air quality for all residents.*

Estimated Completion Date: No later than three months after issuance of the LOI.

Site Information: Stonegate Apartments, 10505 South IH-35, Austin, TX 78747.

## Comments:

Stonegate Apartments is located at 10505 South IH-35 in Austin, Texas. The property comprises 24 buildings containing 452 apartment units, with 414,030 square feet of conditioned space.

**CITY OF AUSTIN - PURCHASING  
RECOMMENDATION FOR COUNCIL ACTION  
VENDOR NAME: JOHNSON CONTROLS INC.**

**AGENDA DATE: 6/20/2013**

**SUBJECT:** Authorize award and execution of a 12- month requirements service agreement through the Texas Multiple Award Schedule (TXMAS) with Johnson Controls, Austin, TX, for the preventative and corrective maintenance services and upgrades on 17 chillers in an estimated amount not to exceed \$415,774, with four 12-month extension options in estimated amounts not to exceed \$418,086 for the first extension option, \$433,599 for the second extension option, \$436,269 for the third extension option and \$438,995 for the fourth extension option, for a total estimated contract amount not to exceed \$2,142,723.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$131,914.49 is available in the Fiscal year 2012-2013 Operating Budget for Austin Energy and \$100,000 is available in the Fiscal Year 2013 Capital Budget of Austin Energy.

**FISCAL NOTE:** A fiscal note is required.

**FOR MORE INFORMATION CONTACT:** Oralia Jones, Senior Buyer/322-6594

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013.

**MBE/WBE:** This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

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This contract will provide for the preventative and corrective maintenance and improvements and upgrades on 17 Austin Energy chillers located at Paul Robbins District Cooling Plant, District Cooling Plant 2, and the Domain District Cooling Plant. The contractor will perform operational inspections and preventative maintenance on the chillers. A detailed inspection of the compressor-motor assemblies, compressor oil systems, control panels, condensers, water flow, switch operation, and refrigerant levels will be conducted on an annual basis, and include written reports for each system.

In addition to preventative maintenance, this contract will provide corrective maintenance for needed repairs. Furthermore, this contract will allow Austin Energy's On-Site Energy Resources staff to enhance the operating efficiency of the chillers by directing the contractor to implement improvements and upgrades. All of these services will ensure Austin Energy's ability to provide uninterrupted chilled water service to customers and protect its investment.

Johnson Controls is under contract through TXMAS to provide these services to other public entities state-wide. The cooperative purchasing program is coordinated by the State of Texas Comptroller of Public Accounts, and allows the City to use TXMAS contracts that have been developed from contracts that were competitively bid and awarded by the General Services Administration Federal Supply.

**CITY OF AUSTIN – AUSTIN ENERGY  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 06/27/2013**

**SUBJECT:** Authorize reimbursement of costs to Austin 18 Hotel, LLC, an Indiana Limited Liability Company, for the purchase of heat exchangers required to interconnect the JW Marriott Hotel to the Austin Energy District Cooling System, in an amount not to exceed \$295,000.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2012-2013 Capital Budget of Austin Energy.

**FISCAL NOTE:** A fiscal note is required.

**FOR MORE INFORMATION CONTACT:** Jim Collins, Director, On-Site Energy Resources (512) 322-6426.

**BOARD AND COMMISSION ACTION:** To be reviewed by the Electric Utility Commission on May 20, 2013.

**MBE/WBE:** This contract will be awarded in compliance with the City's Third Party Resolution No. 20120112-058.

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Austin Energy executed an agreement with Austin 18 Hotel, LLC, an Indiana Limited Liability Company, to provide chilled water services to the JW Marriott Hotel located at 110 East 2<sup>nd</sup> Street, Austin, Texas 78701. This request seeks authorization to complete the purchase of the two heat exchangers necessary for Austin Energy to provide chilled water service to the customer in accordance with the agreement.

Austin Energy recovers all costs associated with customer connections, including these heat exchangers, through the chilled water rate specified in the multi-year chilled water services agreement. Adding customers, thereby increasing the load to Austin Energy's District Cooling System, increases the amount of potential electrical demand shifted from on-peak to off-peak hours. Additionally, the gained efficiencies associated with using the District Cooling System over a stand-alone system result in approximately 1,200,000 kWh per year. The savings is equivalent to 776 tons of CO<sub>2</sub> or the planting of 26,612 trees.

# A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	24306	Agenda Number	
<b>Meeting Date:</b>	5/23/2013	<b>Department:</b>	Austin Energy	

### Subject

Approve an ordinance amending the Fiscal Year 2012-2013 Capital Budget of Austin Energy (Ordinance No. 20120910-002) to increase appropriations by \$7,000,000 for the Holly Street Power Plant Decommissioning Project and amending the Fiscal Year 2012-2013 Operating Budget of Austin Energy (Ordinance No. 20120910-001) to increase the Transfers Out by \$7,000,000 for the Holly Street Power Plant decommissioning account and decrease the Austin Energy Operating Fund ending balance by \$7,000,000.

### Amount and Source of Funding

Funding in the amount of \$7,000,000 is available from the ending balance of the Fiscal Year 2012-2013 Operating Budget of Austin Energy.

### Fiscal Note

A fiscal note is required.

**Purchasing Language:**

**Prior Council Action:** September 10, 2012 - Approved the Fiscal Year 2012-2013 Budget.

**For More Information:** Ann Little, Sr. Vice President, Finance and Corporate Services, 322-6148; Linda Arredondo, Project Manager, 322-6274.

**Boards and Commission Action:** To be reviewed by the Electric Utility Commission on May 20, 2013.

**MBE / WBE:**

**Related Items:**

### Additional Backup Information

Austin Energy seeks approval of this budget amendment to provide additional appropriations and related funding sources for decommissioning the Holly Street Power Plant. This budget amendment will provide additional funding needed for engineering services in addition to environmental and soil remediation to complete the project and prepare the property for future use.

**Holly Street Power Plant** – Austin Energy owns a 570 megawatt natural gas fired power plant, known as Holly Street Power Plant (Holly), which began operations between 1960 and 1974. Holly is sited near a neighborhood close to downtown Austin on Lady Bird Lake. Resolutions to close the plant were approved by Council in July 2002 and November 2003. In accordance with the resolutions, power production operations ceased at Holly Units 1 and 2 in October 2004 and Units 3 and 4 in September 2007. The plant's final decommissioning work or deconstruction began in mid 2011. This funding is needed for additional engineering services as well as environmental and soil remediation not in the original scope of the project.

**Appropriation** – Austin Energy seeks authorization to amend its Fiscal Year 2012-2013 Capital Budget (Ordinance No. 20120910-002) to increase appropriations by \$7,000,000 for costs associated with the decommissioning of the Holly Street Power Plant. This budget amendment is related to another Council agenda item brought forward by the Purchasing Department requesting authorization to negotiate and execute a contract to provide environmental and soil remediation services for the decommissioning project.

**Funding Source for the Appropriation** - Austin Energy also seeks authorization to amend its Fiscal Year 2012-2013 Operating Budget (Ordinance No. 20120910-001) to increase Transfers Out to CIP by \$7,000,000 for the Holly Street Power Plant decommissioning account and decrease its Operating Fund ending balance by \$7,000,000. This additional funding for the decommissioning account will add funding sources needed for the additional appropriations as described above. In the Fiscal Year 2012-13 Budget, Austin Energy has a budgeted positive ending fund balance which will be used to fund this amendment.

*Draft*



# A G E N D A



## Recommendation for Council Action (Purchasing)

Austin City Council

Item ID:

22786

Agenda Number

Meeting Date:

May 23, 2013

Department:

Purchasing

### Subject

Authorize award, negotiation, and execution of a 60-month requirements service contract with CLEAN HARBORS ENVIRONMENTAL SERVICES, GRUENE ENVIRONMENTAL COMPANIES, EFFECTIVE ENVIRONMENTAL, INC., WESTON SOLUTIONS, INC., and PROGRESSIVE ENVIRONMENTAL SERVICES dba SWS ENVIRONMENTAL SERVICES for soil remediation, equipment, and surface decontamination services for Austin Energy in an amount not to exceed \$7,500,000 combined.

### Amount and Source of Funding

Funding in the amount of \$500,000 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy. Funding for the remaining 56 months of the original contract period is contingent upon available funding in future budgets.

### Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

**Purchasing Language:**

Best evaluated proposals.

**Prior Council Action:**

**For More Information:**

Dolores Castillo, Sr. Buyer/322-6466

**Boards and Commission Action:**

To be reviewed by the Electric Utility Commission on May 20, 2013.

**Related Items:**

**MBE / WBE:**

This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

### Additional Backup Information

This contract will provide for soil remediation and equipment decontamination services for Austin Energy (AE). AE anticipates the need to remediate sites that have been identified as containing materials impacted by regulated levels of a variety of contaminants including gasoline or petroleum hydrocarbons. In some cases, these sites are being prepared for redevelopment in compliance with local, state and federal regulatory agencies.

Work under this contract also includes decontamination of equipment, structural members, tanks/vessels, and other items that have been identified as being impacted by regulated substances. Contaminants being addressed under this

contract may include Polychlorinated Biphenyls (PCBs), pesticides, heavy metals such as mercury and lead and other organic and inorganic compounds and waste. Multiple contractors are needed in order to assure competitively timely responses and expertise. As projects are identified, each contractor will be given the opportunity to submit pricing for the individual project. Contractors will submit a work plan, schedule, and pricing for individual projects, and the contractor offering the lowest pricing within the required schedule to the City will be awarded the work for that project.

A City of Austin team with expertise in environmental remediation and decontamination evaluated the proposals and unanimously chose these proposals as the best to provide the services. Evaluation criteria included cost, responses to sample work scopes, personnel qualifications, experience, equipment, facilities, and local business presence.

MBE/WBE solicited: 4/2

MBE/WBE bid: 0/0

### **PRICE ANALYSIS**

- a. Adequate competition.
- b. Eighty-six notices were sent including four MBE's and two WBE's. Five proposals were received, with no response from the MBE/WBEs.

### **APPROVAL JUSTIFICATION**

- a. Best evaluated proposals. Progressive Environmental Services Inc. and Effective Environmental Inc. are two of the four current contractors for these services.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

## EVALUATION FACTORS FOR: RFP DKC0045 – Soil Remediation and Equipment Decontamination Services

EVALUATION CRITERIA		Total Points	Gruebe Environmental Companies New Braunfels, TX	Weston Solutions, Inc Austin, TX	Effective Environmental Inc. Mesquite, TX
1	<b>Total Evaluated Cost</b> (Proposer with lowest proposed cost to the City given maximum number of points, remainder given on a percentage ratio basis)	30	30	20	22
2	<b>Technical Concept &amp; Solution Proposed</b> (Grasp of the technical requirement and its solution(s), completeness and thoroughness of the technical data and documentation)	30	24	28	24
3	<b>Demonstrated Applicable Experience, Equipment and Facilities</b>	20	15	19	19
4	<b>Personnel Qualifications</b>	10	8	9	8
5	<b>Local Business Presence</b>	10	10	10	6
<b>GRAND TOTAL SCORE</b>		<b>100</b>	<b>87</b>	<b>86</b>	<b>79</b>

EVALUATION CRITERIA		Total Points	Clean Harbors Environmental Services Norwell, MA	SWS Environmental Services Panama City, FL
1	<b>Total Evaluated Cost</b> (Proposer with lowest proposed cost to the City given maximum number of points, remainder given on a percentage ratio basis)	30	25	23
2	<b>Technical Concept &amp; Solution Proposed</b> (Grasp of the technical requirement and its solution(s), completeness and thoroughness of the technical data and documentation)	30	25	25
3	<b>Demonstrated Applicable Experience, Equipment and Facilities</b>	20	18	18
4	<b>Personnel Qualifications</b>	10	9	8
5	<b>Local Business Presence</b>	10	0	0
<b>GRAND TOTAL SCORE</b>		<b>100</b>	<b>77</b>	<b>74</b>

NOTE: As per Section 252.049 of the local government code, contents of a proposal shall remain confidential until a contract is awarded or as directed by the Texas Attorney General's Office. Therefore, the matrix will include points awarded for price but exact pricing will not be disclosed.

# A G E N D A



## Recommendation for Council Action

Austin City Council	<b>Item ID</b>	<b>24310</b>	<b>Agenda Number</b>	
<b>Meeting Date:</b>	5/23/2013		<b>Department:</b>	Contract and Land Management
Subject				
<p>Authorize execution of a supplemental amendment #7 to the professional services agreement with WESTON SOLUTIONS, INC., Austin, TX, for completion of Phase 3 construction services and Phase 4 remediation services for the Holly Street Power Plant Decommissioning Project in an amount not to exceed \$3,800,000 for a total contract amount not to exceed \$10,807,626.30.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$3,800,000 is available in the Fiscal Year 2012-2013 Capital Budget of Austin Energy.</p>				
Fiscal Note				
<p>A fiscal note is required.</p>				
<b>Purchasing Language:</b>				
<b>Prior Council Action:</b>	<p>February 28, 2008 – Approved professional services agreement; April 2, 2009 – Approved supplemental amendment for engineering design and bid phase services; November 19, 2009 – Approved supplemental amendment for additional engineering design and bid phase services. April 29, 2010 – Approved supplemental amendment #5 for construction phase services.</p>			
<b>For More Information:</b>	<p>Rosie Truelove 974-3064; Kathleen Garrett 505-3758; Linda Arredondo 322-6274</p>			
<b>Boards and Commission Action:</b>	<p>To be reviewed by the Electric Utility Commission on May 20, 2013.</p>			
<b>MBE / WBE:</b>				
<b>Related Items:</b>				

### Additional Backup Information

The retirement of the Holly Street Power Plant met goals set by the City Council and Austin Energy in the early 1990's to retire the plant at the earliest practical date. This goal was set due to the plant's location within a residential neighborhood that has increased in density over the 47-year life of the facility. Holly's four generating units were constructed between 1960 and 1974. Holly Units 1 and 2 ceased operations in October 2004 and Units 3 and 4 ceased operations in September 2007.

The decommissioning project is a phased approach.

Phase 1 services, which included site evaluation, plan development, cost estimates, and other items, have been completed. Phase 2 services for the decommissioning and demolition design and bidding assistance is complete.

Phase 3 construction phase services requested are for the continuation of oversight and engineering support for decommissioning, demolition, and reporting activities. Phase 3 has been extended due to delays in the demolition contractor's schedule and changed site conditions.

Phase 4 remediation services are requested for additional services due to modifications to the scope that have evolved through a combination of site conditions, regulatory requirement, and changes to post site requirements. This phase provides for environmental sampling and analysis, remediation activities, monitoring well installation and sampling, and site regulatory closure activities. Phase 4 will also include oversight for confirmation and verification sampling in conjunction with soil excavation activities.

draft

**AUTHORIZATION HISTORY**

<u>AMOUNT</u>	<u>DATE – DESCRIPTION</u>
\$600,000.00	02/28/08 (Council) – Preliminary Engineering Report
\$50,000.00	02/28/08 (Administrative Authority) – Amendment for Preliminary Design Services
\$1,959,281.50	04/02/09 (Council) – Amendment for Design and Bid Phase Services
\$142,844.81	11/19/09 (Council) – Amendment for Additional Design and Bid Phase Services
\$4,255,499.99	04/29/10 (Council) – Amendment for Construction Phase Services
\$3,800,000.00	05/23/13 (Council) – Proposed supplemental amendment #7 includes Construction Phases and Remediation phases and future work
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\$10,807,626.30	<i>Total Contract Authorization</i>

**CONTRACT HISTORY**

<u>AMOUNT</u>	<u>DATE – DESCRIPTION</u>
\$599,999.45	07/11/08 – Original Professional Services Agreement for Preliminary Design Services
\$20,375.68	08/22/08 – SA #1: Additional Preliminary Design Phase Services for development of equipment sale web site and additional laboratory services
\$29,347.96	03/02/09 – SA #2: Additional Preliminary Design Phase Services for project management, community relations support and equipment sales support
\$1,959,281.50	04/08/09 – SA #3: Amendment for Design and Bid Phase Services
\$142,844.81	03/22/09 – SA #4: Amendment for Additional Design and Bid Phase Services
\$3,904,965.56	06/23/10 – SA #5: Construction Phase Services
\$350,541.43	03/20/13 – SA #6: Supplemental Services and time extension of contract
\$3,800,000.00	05/23/13 – Proposed supplemental amendment #7 includes Construction Phases and Remediation phases and future work
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\$10,807,356.39	<i>Total Contract Expenditures</i>

**M/WBE Summary**

Participation goals stated in the original approved compliance plan for the agreement were **1.70%** African American; **9.50%** Hispanic; **5.30%** Native/Asian; and **14.20%** WBE. Estimated participation for this amendment:

NON M/WBE TOTAL – PRIME	62.60%
Weston Solutions, Inc., Austin, Texas	62.60%
<b>MBE TOTAL – SUBCONSULTANTS</b>	<b>18.00%</b>
African American Subtotal	1.80%
(MB) HVJ Associates, Inc., Austin, TX (Geotechnical Engineering, Civil Engineering)	1.80%
Hispanic Subtotal	9.90%
(MH) Jose I. Guerra, Inc., Austin, TX (Civil Engineering, Structural Engineering, Electrical Engineering, Mechanical Engineering)	8.00%
(MH) Macias & Associates, LP, Austin, TX (Surveying Services, Global Positioning System, Land Surveying)	1.90%
Native/Asian Subtotal	6.30%
(MA) Encotech engineering Consultants, Inc., Austin, TX (Structural Engineering, Civil Engineering, Mechanical Engineering, Cost Estimating)	5.00%
(MA) DHL Analytical, Inc., Austin, TX (Laboratory Services for Hazardous Waste and Environmental)	1.30%
<b>WBE TOTAL – SUBCONSULTANTS</b>	<b>14.40%</b>
(FW) Axiom Engineers, Inc., Austin, TX (Civil Engineering, Environmental Engineering, Pollution Control Engineering)	4.20%
(FW) Harutunian Engineering, Inc., Austin, TX (Electrical Engineering, Mechanical Engineering)	6.20%
(FW) CPM Consultants, Austin, TX (Project Scheduling, Cost Estimating)	3.90%
(FW) Dynamic Reprographics, Inc., Austin, TX (Blue Printing Services, Blue Prints, Blue Line, Large Engine, Copying Services)	0.10%
<b>NON M/WBE TOTAL – SUBCONSULTANT</b>	<b>5.50%</b>
GSI Environmental, Inc., Austin, TX (Value Engineering)	0.50%
Environmental Resource Consultants (ERC), Austin, TX	5.00%

**Overall participation based on contract expenditures as of February 2013 (not including this amendment):**

**PRIME:**

76.54% Non M/WBE

**SUBCONSULTANTS:**

2.57% African American; 23.21% Hispanic; 3.27% Native/Asian; 8.13% WBE; and 5.50% Non M/WBE

**TOTAL:**

2.57% African American; 23.21% Hispanic; 3.27% Native/Asian; 8.13% WBE; and 82.04% Non M/WBE